

**CITY OF EVANS
CITY COUNCIL ORDINANCE NO. 814-24**

**AN ORDINANCE AMENDING CHAPTER 18.02, ZONING, AND CHAPTER 18.05,
RESIDENTIAL DEVELOPMENT, OF TITLE 18, LAND DEVELOPMENT CODE, OF
THE EVANS MUNICIPAL CODE TO MODIFY DIMENSIONAL STANDARDS.**

WHEREAS, the City Council of the City of Evans, Colorado, pursuant to Colorado statute and the Evans City Charter, is vested with the authority of administering the affairs of the City of Evans, Colorado; and

WHEREAS, in accordance with Chapter XII of the Evans City Charter, for the purpose of promoting the health, safety, morals, or general welfare of the City, the Council shall, by ordinance, regulate the location, heights, bulk, aesthetics, design, and size of buildings and other structures; design and size of bufferyards, setbacks, landscaping, and other open spaces; off-street parking; the density of population; and the uses of buildings, structures, and land.

WHEREAS, Title 18 of the Evans Municipal Code (“the Code”) establishes the Land Development Code; and

WHEREAS, City Council has held a public hearing and reviewed the proposed land development code and finds it to be in the interest of the City of Evans to adopt the proposed land development code by amending Chapter 18.02 and Chapter 18.05 of Title 18, Land Development Code, all of the Evans Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANS, COLORADO:

Section 1. Section 18.02.030, Dimensional limitations, of Title 18 of the Code is amended by removing the language in red, ~~strikeout font~~ and replacing with language highlighted in yellow:

- A. *Residential limitations.* The following setbacks, lot coverage, and height limits apply to all structures on residentially-used lots. In no case shall any setback, exception or modification impede utility services or violate the provisions of a recorded easement.
1. *Front ~~and corner side~~ setback.* The front setback from any right-of-way shall be:
 - a. NO CHANGE
 - b. NO CHANGE
 2. *Corner side setback.* The corner side setback from any right-of-way shall be:

- a. Ten (10) feet if the lot meets the requirements for terrace frontage design in accordance with Section 18.05.030 or the lot meets the requirements for small format housing in accordance with Section 18.05.080.
 - b. Fifteen (15) feet for all other lots.
3. *Rear setback.* The rear setback from a property line by zone district shall be:
- a. AG, R1-E: Thirty (30) feet.
 - b. R-1, R-2, R-3, R-C: Five (5) feet if the rear property line abuts an alley that is at least twenty (20) feet wide and can take utilities, otherwise twenty (20) feet.
 - c. RMH: Ten (10) feet.
 - d. Any other zone district: Five (5) feet if the rear property line abuts an alley that is at least twenty (20) feet wide and can take utilities, otherwise twenty (20) feet.
4. RENUMBER ONLY – NO TEXT CHANGE
5. RENUMBER ONLY – NO TEXT CHANGE
- B. NO CHANGE
- C. NO CHANGE
- D. NO CHANGE
- E. *Setback encroachment.*
1. NO CHANGE
 2. Structural projections such as ~~bay windows~~, balconies, chimneys, eaves, cornices, awnings, fire escapes, ~~or~~ egress wells, ~~or other non-foundational overhangs or projections~~ may extend up to four (4) feet from the foundation and encroach into the setback, but no closer than ~~two (2)~~ five (5) feet from any lot line.
 3. NO CHANGE
 4. Accessory structures less than one hundred twenty (120) square feet may encroach into the rear setback, but no closer than five (5) feet to the property line.
- F. NO CHANGE

Section 2. Table 18-5-1, Residential Lot Standards, of Chapter 18.05, Residential Development, of Title 18 of the Code is amended by removing the language in red, strikeout font and replacing with language highlighted in yellow:

Table 18-5-1, Residential Lot Standards

Zone Districts						Building / Lot Types	# of Units	Lot Standards	
AG	R1E	R1	R2 / RC	R3	RMH			Minimum Size	Width
■	■					Detached House – Rural	1	2.5 acres	Minimum 200 feet
	■	■	■			Detached House – Estate	1	13,000 SF	Minimum 100 feet
		■	■	■		Detached House – Standard	1	6,000 SF	40 feet – 99 feet
			■	■		Detached House – Small	1	3,500 SF	30 feet – 49 feet
			■	■		Duplex / Multi-unit House on a single lot	2 to 4	6,000 SF, min 2,500 SF/unit	Minimum 50 feet
			■	■		Row House	3 2 to 8	1,200 SF/unit	15 feet min/unit, 150 feet max/building
			L	■		Apartment – Small	5 to 12	6,000 SF	50 feet – 99 feet
				■		Apartment – Medium	13 to 24	14,000 SF	100 feet – 300 feet
				L		Apartment – Large	25 +	30,000 SF	Minimum 200 feet
■	■					Accessory Dwelling Unit	1	n/a	n/a
			■	■	■	Courtyard Pattern	See Section 18.05.060		
■	■					Conservation Pattern	See Section 18.05.070		
					■	Small Format Housing	See Section 18.05.080		

NO FURTHER CHANGES

Section 3. Publication and Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published, and posted as required by the City Charter and the adoption, posting, and publication shall be authenticated by the signature of the Mayor and City Clerk, and by the Certificate of Publication. This Ordinance shall become effective upon final passage.

Section 4. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5. Repeal. Existing ordinances or parts of ordinances covering the same matters embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this ordinance.

INTRODUCED AND PASSED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF EVANS ON THIS 6th DAY OF FEBRUARY, 2024.

ATTEST:

CITY OF EVANS, COLORADO

Julie Barnett, City Clerk

By: _____
Mark C. Clark, Mayor

PASSED AND ADOPTED ON A SECOND READING THIS 20th DAY OF FEBRUARY, 2024.

ATTEST:

CITY OF EVANS, COLORADO

Julie Barnett, City Clerk

By: _____
Mark C. Clark, Mayor